

REMARKS

The present application includes claims 1-20. Claims 1-20 have been rejected by the Examiner. Claims 1, 10, 11 and 20 have been amended by this response. New claims 21 and 22 have been added.

Claims 1-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Patent No. 6,283,761) in view of Campbell (U.S. Patent No. 6,047,259).

However, Joao relates to providing healthcare information by processing symptom and condition information for a patient in conjunction with standard or average healthcare information, healthcare theories, healthcare principles, and/or healthcare research to generate a diagnostic report including a list of standard diagnoses corresponding to average condition and symptom information. Abstract. A final diagnosis is selected from the list and is used to generate a claim form. Abstract. The claim may then be processed. Col 4, lines 59-67 and col. 6, lines 45-51. Joao discusses managing patient records and healthcare information. Col. 2, lines 30-45.

As stated by the Examiner, Joao does not teach a medical support system including a memory for storing at least one medical support process relating to diagnosis and treatment of a medical condition, a processor responsive to the medical support process and to user inputs for performing the medical support process, an input device for user inputs relating to the medical support process and an output device for displaying the results of the medical support process to a user. Additionally, as echoed by the Examiner, Joao does not teach a medical support process including at least one process phase which includes one or more process operations. Joao does

not teach that each of the process operations of a process phase includes at least one process form providing an interface between a user and the process operations of the process phase, each process form including fields for passing user inputs to the process operations and for displaying the results of the process operations to the user. Joao does not teach that each of the process operations of a process phase include at least one support process responsive to user inputs, the medical record and the guidelines for performing the process operations. As pointed out by the Examiner, Joao also does not teach that the support processes execute an interactive dialogue between the medical support process and the user to provide guidance to the user in performing the medical support process according to the guidelines and dependent upon the user inputs and the medical record. Joao also does not fairly suggest any of the above limitations in its disclosure.

Campbell relates to software tools for conducting a physical exam, suggesting a tentative diagnosis, and managing a treatment protocol. Abstract. Campbell's software guides a user through a physical exam based on user input and generates a list of possible diagnoses based on selections from a list of standard observations for a physical examination. Abstract. The user can select a diagnosis from the list as well as a standardized treatment protocol. Abstract. In Campbell, a user selects a treatment protocol based on a computer-generated diagnosis. Col. 2, lines 1-4. The user selects the computer-generated diagnosis from a list of possible diagnoses. Col. 2, lines 22-30. A patient's record may then be updated to reflect that he is under treatment. Col. 2, lines 31-37.

However, the Applicant respectfully submits that Campbell does not teach or suggest at least one support process responsive to user inputs, a patient medical record and guidelines for

performing the process operations. Campbell also does not teach or suggest a support process executing an interactive dialogue between the medical support process and the user to provide guidance to the user in performing the medical support process according to the guidelines and dependent upon the user inputs and the medical record. These limitations are recited in independent claims 1 and 11. Rather, Campbell simply serves as an electronic substitute for traditional hardcopy references indicating possible diagnoses and treatments based on average symptoms. Campbell provides predetermined exam screens and predetermined observations to allow a user to select among the observations, possible diagnoses and possible treatments rather than a dynamic, interactive processing. Col. 1, line 50 – col. 2, line 41.

Furthermore, for the purposes of expediting the allowance of the present application, independent claims 1 and 11 have been amended to recite that the guidance provided to the user is capable of being overridden by the user and that the guidelines are dynamically updated based on user input. Clearly, as supported by the above discussion, neither Joao nor Campbell discloses this. Additionally, dependent claims 10 and 20 have been amended, to expedite allowance, to specify that the translation may be a bi-directional one between medical terms displayed to and entered by a user and corresponding equivalent but different medical terms employed in the support operations. This too is neither taught nor fairly suggested by either of the Joao or Campbell references.

Since neither Joao nor Campbell teaches or suggests at least the above-described limitations found in independent claims 1 and 11, any combination of Joao and Campbell would not teach or suggest all the limitations of independent claims 1 and 11. To establish a *prima*

facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). MPEP 706.02(j). Therefore, the Applicant respectfully submits that the Examiner's rejection be withdrawn.

Thus, the Applicant respectfully submits that claims 1-22, as amended, are allowable of the prior art of record, including the art cited but not relied upon by the Examiner. The Applicant requests an action to that effect and invites the Examiner to contact the Applicant's attorney to resolve any outstanding issues.


CONCLUSION

The Applicants submit that the present application is in condition for allowance. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited and encouraged to contact the Applicants at the number below.

The Commissioner is authorized to charge any additional fees or credit overpayment to the Deposit Account of GEMS-IT, Account No. 502401.

Respectfully submitted,

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